



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Ninth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13339 of 2017

MOHAMED ASARUDIN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
CR.NO.571/2017

... RESPONDENT / COMPLAINANT

For Petitioner : MR.MOHAN, ADVOCATE FOR
M/S.A.THIYAGARAJAN Advocate

For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

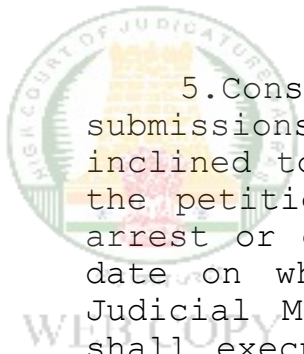
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 363 of IPC in Crime No.571 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that mother of the victim girl alleged a prosecution against the petitioner. The girl was kidnapped by the petitioner. Thereby, a case was registered against the petitioner. Aggrieved by the same, the petitioner filed criminal original petition.

3.The learned counsel for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and he is innocent person. On investigation, the girl voluntarily accompanied with the petitioner. The petitioner and the victim girl fall in love and each of them decided to marry. The marriage was solemnised by his friends in Hindu Temple as per the Hindu rights and customs and the same was recorded.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police on instructions would submit that above said statement made by the learned counsel for the petitioner is true.



5.Considering the facts and circumstances of the case and the submissions made by both the counsel appearing for the parties, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Manapparai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent Police as and when required;

(ii)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii)the petitioner shall not commit any offence while on bail;

(iv) on breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-
09/10/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE,MANAPPARAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIYAGARAJAN Advocate SR.No.32423

GJM/PM/PN/SAR-4-12.10.17-2P-6C

ORDER
IN
CRL OP(MD) No.13339 of 2017
Date :09/10/2017